

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

CANDRA BETH CLARK

PETITIONER

v.

CIVIL NO. 1:21-cv-228-TBM-RPM

EVAN HUBBARD

RESPONDENT

**ORDER DIRECTING RESPONDENT
TO FILE ANSWER OR OTHER RESPONSIVE PLEADING**

BEFORE THE COURT is pro se Petitioner Candra Beth Clark's Petition for habeas corpus relief pursuant to 28 U.S.C. § 2241. Clark is incarcerated at the Harrison County Detention Center in Gulfport, Mississippi, in the custody of Warden Evan Hubbard. Clark brings this habeas Petition [1] challenging her pre-trial detention for a felony charge of malicious mischief pending before the Harrison County Circuit Court.¹ After liberal review of Clark's Petition [1], Response [8], and other filings, it is hereby,

ORDERED that Respondent Hubbard, through the Attorney General of the State of Mississippi, file an answer or other responsive pleading in this cause within twenty (20) days of the service upon the Attorney General of the State of Mississippi of a copy of this Order. Respondent shall file with his answer or other responsive pleading any court documents relevant to the disposition of this cause including full and complete transcripts of all proceedings in the state court of Mississippi arising from any charges in the Circuit Court of Harrison County, Mississippi, that are responsible for Petitioner's current detention.

¹Clark also mentions charges or convictions of attempted aggravated assault on a law enforcement officer and domestic violence in Tippah County, but *see* Order [7], finding that "this petition is only considered as a challenge to the detention by Harrison County for a charge(s) pending in Harrison County Circuit Court." Order [7] at 2. Additionally, the Court notes that Clark is pursuing her conditions of confinement claims in a separate civil action under 42 U.S.C. § 1983. *See Clark v. Harrison Cty.*, no. 1:21-cv-84-TBM-RPM (S.D. Miss. filed Mar. 24, 2001).

IT IS FURTHER ORDERED that the Clerk of Court shall serve, by certified mail, a copy of the Petition [1], Order [7], and Response [8] filed herein, along with a copy of this Order upon the Attorney General of the State of Mississippi. The Clerk of Court is also directed to mail a copy of this Order to the Petitioner at her address of record.

IT IS FUTHER ORDERED that Petitioner's Letters filed as Motions [9, 10, 11] wherein Petitioner is seeking a speedy hearing, a speedy trial, and legal advice are denied. It is premature to set a hearing in this matter as the Court is required to "review the answer, any transcripts and records of state-court proceedings . . . to determine whether an evidentiary hearing is warranted." Rule 8(a) of *Rules Governing Section 2254 Cases in the United States District Courts*. Additionally, the Court is unable to provide legal advice to litigants.

The Petitioner is advised that this Order directing the Respondent to answer does not reflect any opinion of this Court that the claims contained in the Petition will or will not be determined to be meritorious.

Petitioner is warned that her failure to timely comply with any Order of this Court or her failure to keep this Court informed of her current address will result in the dismissal of this case.

SO ORDERED AND ADJUDGED, this the 27th day of September, 2021.

/s/ Robert P. Myers, Jr.
ROBERT P. MYERS, JR.
UNITED STATES MAGISTRATE JUDGE